



**Department of Justice  
U.S. Attorney's Office  
Southern District of Texas**

**Donald J. DeGabrielle, Jr. • United States Attorney**

**FOR IMMEDIATE RELEASE**  
FRIDAY, JUNE 30, 2006  
[WWW.USDOJ.GOV/USAO/TXS](http://WWW.USDOJ.GOV/USAO/TXS)

JOHN YEMBRICK  
PUBLIC INFORMATION OFFICE  
(713) 567-9388

**BORDER PATROL AGENT ARRESTED FOR PUBLIC CORRUPTION**

HOUSTON, TX – U.S. Border Patrol Agent David Duque, Jr. was arrested and charged with using and agreeing to use his position as a Border Patrol Agent to assist in the smuggling of cocaine from Mexico across the Falfurrias, Texas, border checkpoint and into the United States, announced U.S. Attorney Don DeGabrielle.

According to allegations contained in the affidavit in support of the complaint, which was filed on June 27, 2006, Duque, who has been employed as a Border Patrol Agent since the mid-1990s, used his position and authority to provide for the safe passage of kilogram quantities of cocaine across the Falfurrias checkpoint. Allegedly, while on duty on June 14, 2006, Duque knowingly assisted a vehicle loaded with cocaine to successfully pass through the Falfurrias checkpoint. It is alleged that 4.8 kilograms of cocaine were secreted in the vehicle and that Duque was paid \$5,000 in U.S. currency for assisting in the smuggling of these narcotics.

Duque made his initial appearance before U.S. Magistrate Judge Frances Stacy on June 28, 2006. At a hearing conducted this afternoon, an agent with the Federal Bureau of Investigation testified that in addition to allegedly permitting narcotics to safely pass through the Falfurrias checkpoint, Duque allegedly used his position as a Border Patrol agent to assist in alien smuggling. Additionally, the agent testified that a cooperating source illegally purchased almost 70 identification documents from Duque in recent months, which Duque allegedly unlawfully acquired while performing his duties with the Border Patrol.

Duque was released at the hearing's conclusion on a \$50,000 bond with stringent release conditions, including electronic monitoring.

If convicted, Duque faces up to fifteen years incarceration and a \$250,000 fine. Duque also faces disqualification from holding an office of honor, trust or profit with the United States.

This case was investigated by special agents with the Federal Bureau of Investigation, the Internal Revenue Service and the Office of Inspector General - U.S. Department of Homeland Security. This case is being prosecuted by Assistant United States Attorney Shelley J. Hicks.

**A criminal complaint is an accusation of criminal conduct, not evidence. The defendant is presumed innocent unless and until convicted through due process of law.**

###